

Appendix C
Proponent Responses to Comments



Nunavut Impact Review Board
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December 4, 2009

Sent via: email

Re: Opportunity to address comments received regarding Weststar's "Ellesmere Island Coal Exploration" project proposal

Dear Kelli Gillard,

Westar Resources Corporation (Weststar) appreciates the opportunity to address comments received by the Nunavut Impact Review Board (NIRB) with respect to Weststar's Ellesmere Island Coal project proposal. This document presents background information with respect to the project proposal, a summary of Weststar's existing environmental, social and economic commitments, and a number of additional commitments adopted by Weststar as a result of the NIRB screening process.

Background

On May 4, 2009 the Department of Indian and Northern Affairs Canada (INAC) Mining Recorders Office approved six (6) Coal Exploration License applications made by Weststar. The licenses cover an approximate area of 450 square-kilometres and are located on the Fosheim Peninsula and at the head of Strathcona Fiord, Ellesmere Island Nunavut. The nearest community, Grise Fiord, lies approximately 400 kilometres to the south and the weather station and airport complex at Eureka lies 35 kilometres to the west.

Following the granting of licenses, on August 13, 2009 Weststar submitted land and water use applications for a proposed coal exploration program to the Qikiqtani Inuit Association (QIA), Nunavut Water Board (NWB) and INAC. Concurrently, screening documentation was submitted to NIRB. The application was forwarded by the permitting agencies to the Nunavut Planning Commission (NPC) for determination of its conformity with the North Baffin Regional Land Use Plan (NBRUP) under the Nunavut Land Claims Agreement. On October 23, 2009 Weststar's Ellesmere Island Coal Exploration project proposal received a positive conformity determination from the NPC.

Following the positive conformity determination; NIRB invited interested parties and municipalities most affected by the project proposal to comment directly to the Board by November 25, 2009. NIRB received comments from the following parties:

- Fisheries and Oceans Canada (DFO)
- Government of Nunavut – Culture, Language, Elders and Youth (GN-CLEY)
- Environment Canada (EC)
- Qikiqtani Inuit Association (QIA)
- Transport Canada (TC)
- Government of Nunavut – Department of Environment (GN-DoE)

A summary of concerns raised by the parties is as follows:

- potential for disturbance to identified and unidentified archaeological/paleontological resources (i.e. paleoeskimo sites and fossil forest sites)
- potential impacts to caribou and muskox critical habitat and calving areas
- concerns regarding details in the fuel storage and spill contingency plans
- concerns regarding absence of socio-economic benefits from the project
- access to Inuit owned lands will be withheld by QIA
- authorizations under the Navigable Waters Protection Program may be required

Weststar wishes to thank the commenting parties for presenting their concerns and for aiding NIRB in completing its screening assessment of the Ellesmere Island Coal Exploration project proposal.

Weststar is committed to the social and economic development of the north while maintaining a level of excellence in minimizing environmental impacts. As part of its landuse application package, Weststar submitted comprehensive Wildlife Management and Mitigation, Waste and Fuel Management, Fuel Spill Contingency and, Abandonment and Restoration Plans. In developing its environmental management and mitigation strategies Weststar reviewed and consulted the Nunavut Land Claims Agreement (NLCA), NBRUP, Nunavut Archeological and Paleontological Site Regulations, Northwest Territories Waters Regulations, Territorial Land Use Regulations, Wildlife Act, Fisheries Act, Species At Risk Act (SARA) and Committee on the Status of Endangered Wildlife in Canada (COSEWIC).

Existing Commitments

A number of Weststar's existing environmental, social and economic commitments as detailed in the landuse application package bear directly on concerns raised by the commenting parties. A summary of these commitments has been provided below:

Archeological and Paleontological Resources

During the Coal Exploration License application process GN-CLEY provided Weststar with the location of all recorded archeological sites within the licenses. Weststar understands

that currently, one (1) recorded archeological site occurs within Coal Exploration License #106, located at the head of Strathcona Fiord.

During the Coal Exploration License application process, INAC, Environment Division raised concerns that exploration activities may impact fossil forests known to occur on Axel Heiberg and Ellesmere Islands. Similar concerns were raised by GN-DoE and submitted to NIRB during the commenting period. Subsequent research by Weststar has identified three (3) recorded fossil forest sites in the region of the licenses: Geodetic Hills Fossil Forest, Axel Heiberg Island, located 90 kilometres west of Weststar's Fosheim Peninsula licenses; Stenkul Fiord Fossil Forest, Ellesmere Island, located 200 kilometres south of Weststar's Fosheim Peninsula licenses; and the Strathcona Fiord Fossil Forest, Ellesmere island, located 10 kilometres west of Weststar's Strathcona Fiord licenses.

Weststar recognizes that the Ellesmere Island region is remote and that in many cases detailed site specific information is lacking. The potential to encounter un-recorded archaeological or paleontological sites exists.

Weststar will strictly adhere to the terms of the Nunavut Archeological and Paleontological Site Regulations. Specifically Weststar has undertaken to:

- Not remove, disturb, or displace an archeological artifact or site, or any fossil or paleontological site.
- Immediately contact GN-CLEY should an archeological site or specimen, or a paleontological site or fossil be encountered or disturbed by any land use activity.
- Follow the direction of GN-CLEY in restoring disturbed archeological or paleontological sites to an acceptable condition.
- Provide all information requested by GN-CLEY concerning all archeological sites or artifacts and all paleontological sites and fossils encountered in the course of any land use activity.
- Ensure all persons working under authority of the permit are aware of the conditions concerning archeological sites and artifacts, and paleontological sites and fossils
- Avoid known archeological and/or paleontological sites identified by GN-CLEY
- Shall have an archeologist or paleontologist perform surveys, inventories, assessments, mitigation and restoration of any archeological or paleontological sites discovered during the course of any land use activity as required by GN-CLEY

Wildlife Management and Mitigation

Weststar's Fosheim Peninsula Coal Exploration licenses occur within a 4,823 square-kilometre area of special interest due to the presence of a relatively high Muskox population (Wildlife Areas of Special Interest, WASI, Ferguson, 1995). In addition the Fosheim Peninsula supports arctic hare, Peary caribou and gyrfalcon. Weststar's Strathcona Fiord licenses have been identified as occurring within a Polar Bear denning area.

According to the GN-DoE, and the Nunavut Wild Species 2000 report, "the current status of muskoxen is secure. In 1917 the Canadian Government prohibited trading hides and put muskoxen under complete protection. Since that time, their numbers have increased and hunting

is allowed. A sustainable harvest is currently maintained through a quota system. Similarly the GN-DoE lists the status of the arctic hare as “secure” and gyrfalcon populations are designated “not at risk” by COSEWIC.

Since 1991 COSEWIC has designated the Peary caribou population as “endangered” due to studies that indicate “numbers have declined by about 72% over the last three generations, mostly because of catastrophic die-off likely related to severe icing episodes”. However, in a June 2007 response to COSEWIC’s May 2004 designation reported by the Northern News Service, the Iviq Hunters and Trappers Association (IHTA) of Grise Fiord suggested the Peary caribou is not endangered. The IHTA maintain that the decline in Peary caribou numbers is part of a natural cycle.

Weststar understands where Peary caribou and muskox areas overlap, GN-DoE recommends no activity from the onset of muskox calving (April 15th) until the end of Peary caribou calving (July 15th). Post-calving July 15th to August 15th is also a critical time for caribou and muskoxen and Weststar will make every effort to avoid disturbing these animals.

Polar Bears have been designated as “sensitive” by the GN-DoE and “of special concern” by COSEWIC. Weststar’s Coal Exploration Licenses, correspond with the range of the Norwegian Bay polar bear population. Currently, the Norwegian Bay polar bear population is classed as “stable” and harvesting is currently managed by a flexible quota system (COSEWIC, 2002).

Weststar has implemented best management practices toward protection and mitigation against disturbances to wildlife and sensitive areas. Specifically Weststar has undertaken to:

- Make all efforts to avoid encounters with wildlife.
- Ensure aircraft and helicopters will maintain flight altitudes of 610 metres above ground level in places where there are wildlife.
- Field sites will be circled by the pilot prior to landing in order to ascertain the presence/absence of wildlife. If wildlife is sighted prior to landing at a field site, it will result in a change of field site location that day.
- INAC established Caribou Protection Measures are to be strictly followed to avoid disturbance of migrating and calving herds.
- Den sites will be avoided. If a den site is discovered, the GPS coordinates will be recorded so that the site can be avoided. Buffer distances established by the GN will be adhered to.
- Breeding Birds are not to be disturbed. No eggs or nests are to be disturbed by any activities. If any active nests are encountered, all activities are to cease immediately to ensure that the nest is not disturbed.
- Sightings of wildlife will be recorded on the wildlife sightings sheets provided by the company. Information recorded will include: species, date, time and location of sighting.
- Aquatic Life will be protected. Work conducted in and around waterbodies must be done in such a way that prevents disturbance to aquatic life and habitat and compliance with the Fisheries Act.

Fuel Storage and Spill contingency

Weststar will ensure that the storage of fuel is done in a manner that is environmentally sound, is safe to personnel and contractors and in compliance with all applicable acts and regulations. As detailed in the fuel management and spill contingency plans Weststar has undertaken to:

- Store all hazardous waste material a minimum of 100 m from the high water mark of any water body. All Petroleum products will be stored a minimum of 31 m from the normal high water mark.
- Store all fuel safely and securely within secondary containment.
- Inspect fuel caches on a daily basis while exploration crews and drilling are active, spill kits will be located at each fuel storage facility
- Minimize risk of spills associated with drummed product, cylinders and vehicles (helicopters, fixed wing aircraft, drill, etc.) through appropriate storage procedures, inspections and spill response training of personnel and contractors
- Notify the 24 hour Spill Line and INAC Water Resource Officer in the event of a spill as required by applicable acts and regulations.
- In the event of a spill: ensure the safety of personnel, Identify and find the spill substance and its source, and, if possible, stop the process or shut off the source; notify the spill to the 24 hour Spill Line and INAC Water Resource Officer; Contain the spill; Implement any necessary cleanup and/or remedial action.

Social and Economic Benefits

As part of its application package Weststar indicated it would conduct community consultations prior to the commencement of exploration. Weststar plans to visit and meet with Inuit and representatives in the Hamlet of Grise Fiord, including the Mayor and Council, Community Lands and Resources Committee (CLARC) and Iviq Hunters and Trappers Organization (IHTO) during spring 2010.

Weststar is committed to obtaining support services where practical from local communities. The long-term goal is the discovery of an economic resource that would provide the local economy with sustainable employment and infrastructure. Nunavut registered companies will be favoured for logistical and technical support (including helicopter, fixed-wing aircraft, materials and equipment). The proposed initial phase of the project will be based from the existing facility at Eureka, NU. It is during this time that a camp location and the initial drill sites will be chosen. During and following the construction of the temporary tent camp, and during the exploration program, a number of jobs will be available (2-4 positions). Wherever and whenever possible, Weststar will hire locally.

Additional Commitments

Weststar recognizes the value of input provided by the commenting parties (DFO, GN-CLEY, EC, QIA, TC and GN-DoE). Based on its review of documents provided by NIRB, Weststar has recognized a number of additional mitigation and monitoring best practices of benefit to the Ellesmere Island Coal project proposal.

Archeological and Paleontological Resources

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As part of the Nunavut Archeological and Paleontological Site Regulations, the GN-CLEY may require the permittee to have an archeologist or paleontologist perform surveys, inventories, assessments, mitigation and restoration of any archaeological or paleontological sites discovered during the course of any landuse activity.

In accordance with the November 20, 2009 direction of the GN-CLEY, and to address similar concerns raised by the GN-DoE, Weststar plans to conduct archeological and paleontological site assessments prior to any land development. Weststar would like to thank the GN-CLEY for providing a list of archeological and paleontological consultants that have worked in Nunavut. All proposed camp, airstrip and drilling sites will be assessed by an archeologist and paleontologist approved by the GN-CLEY prior to any land disturbance.

Wildlife Management and Mitigation

As previously noted, Weststar has implemented best management practices toward protection and mitigation against disturbances to wildlife and sensitive areas. Environment Canada, in its November 20, 2009 comments to NIRB, indicated that Weststar's Ellesmere Island Coal project proposal "is of a type where the potential adverse effects are highly predictable and mitigable with known technology". Environment Canada, further recommended that "monitoring be undertaken to determine the effectiveness of mitigation and/or identify where further mitigation is required".

Based on the recommendations of Environment Canada, Weststar plans to augment its existing wildlife monitoring program. Weststar's wildlife monitoring program will involve:

- Recording the locations and dates of wildlife observations (all species including those designated as "Species at Risk"),
- Behaviors or actions taken by the animals when project activities were encountered,
- Actions taken by the permittee to avoid contact or disturbance to the species, its habitat, and/or its residence.
- Submission of information collected to QIA, GN-DoE, and INAC annually.

Weststar looks forward to receiving any additional recommendations from QIA, Grise Fiord CLARC, GN-DoE and EC with respect to wildlife management and mitigation plans contained within the Ellesmere Island Coal project proposal.

Navigable Waters Protection Program

Weststar acknowledges Transport Canada's review of the Ellesmere Island Coal Exploration project proposal. In accordance with the November 20, 2009 request submitted to NIRB, Weststar will contact the Navigable Waters Protection Program to discuss details of the proposed project.

Conclusions

Westar appreciates the opportunity to address comments received by the Nunavut Impact Review Board with respect to Westar's Ellesmere Island Coal project proposal. We wish to

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thank the commenting parties for presenting their concerns and for aiding NIRB in completing its screening assessment.

Weststar believes that some of the concerns raised by the commenting parties have been addressed by its existing environmental, social and economic commitments. However, as a direct result of the review process the commenting parties provided additional mitigation and monitoring best practices that have now been implemented.

Weststar is committed to the social and economic development of the north and through its Ellesmere Island Coal Exploration project proposal has demonstrated a commitment to maintaining a level of excellence in minimizing environmental impacts.

On behalf of Weststar Resources Corporation,

A handwritten signature in black ink, appearing to read 'Mitchell Adam', written over a horizontal line.

Mitchell Adam
President and Director



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January 29, 2010

Sent via: email

Re: Final Opportunity to Address Comments Received Regarding Weststar's "Ellesmere Island Coal Exploration" Project Proposal

Dear Kelli Gillard,

Westar Resources Corporation (Weststar) would once again like to extend its appreciation to the Nunavut Impact Review Board (NIRB) for a final opportunity to address comments with respect to Weststar's Ellesmere Island Coal project proposal.

Background

On August 13, 2009 Weststar submitted land and water use applications for a proposed coal exploration program to the Qikiqtani Inuit Association (QIA), Nunavut Water Board (NWB) and the Department of Indian Affairs and Northern Development Canada (INAC). Concurrently, screening documentation was submitted to the NIRB. Weststar's Ellesmere Island Coal project proposal outlined the extent of the 2010 exploration program which included:

- The construction of a temporary tent camp on the Fosheim Peninsula, approximately 35 kilometres to the east of the weather station and airport complex at Eureka, Nunavut.
- Exploration diamond drilling within Weststar's' Fosheim Peninsula and Strathcona Fiord coal exploration licenses utilizing a small footprint, helicopter portable diamond drill rig.
- Collection of surface samples from coal occurrences by hand, and with the aid of helicopter transport.

In addition to a description of the proposed coal exploration activities, Weststar's Ellesmere Island Coal project proposal included comprehensive Wildlife Management and Mitigation, Waste and Fuel Management, Fuel Spill Contingency and, Abandonment and Restoration Plans.

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On December 8, 2009 Weststar submitted a response to the NIRB with respect to initial comments received regarding the Ellesmere Island Coal project proposal. Important concerns raised by the commenting parties included:

- Potential for disturbance to identified and unidentified archaeological / paleontological resources (i.e. paleoeskimo sites and fossil forest sites).
- Potential impacts to caribou and muskox critical habitat and calving areas.
- Qikiqtani Inuit Association concerns regarding community consultation and socio-economic benefits from the project.

Some of the concerns raised by the commenting parties were addressed by Weststar's existing environmental, social and economic commitments. Importantly; as a direct result of the review process, and based on input provided by the commenting parties, Weststar implemented a number of new mitigation and monitoring best practices.

Westar's existing and recently implemented mitigation and monitoring practices and social and economic commitments include:

- Strict adherence to Nunavut Archeological and Paleontological Site regulations.
- Completion archeological and paleontological site assessments prior to any land disturbance.
- Strict Adherence to DIAND established Caribou Protection Measures.
- Implementation of wildlife monitoring program emphasizing observation, recording and avoidance, to determine effectiveness and/or identify where further mitigation is required.
- To conduct community consultation with the people of Grise Fiord
- Commitment to obtain support services from local and/or Nunavut registered companies. Wherever and whenever possible Weststar will hire locally.

Additional Comments Received by the NIRB

On December 12, 2009 the NIRB sent out Weststar's response for interested parties to assess and comment on by January 15, 2010. On or before January 15, 2010 the NIRB received comments from the following interested Parties:

- Qikiqtani Inuit Association
- The Government of Nunavut - Department of Environment
- Members of the Public

Weststar wishes to thank the commenting parties for presenting their additional concerns and for providing important supplementary information with respect to the Ellesmere Island Coal Exploration project proposal. A discussion of recently received comments is presented below.

Qikiqtani Inuit Association

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The comments of QIA have touched on three main themes: importance of wildlife, community consultation and socio-economic benefits.

After reviewing Weststar's wildlife monitoring and mitigation practices, the QIA indicated that it was unclear whether Weststar planned to conduct activities during the Peary caribou and muskox calving period of April 15th – July 15th. To clarify; with approval and provided they do not impact Peary caribou or muskox Weststar plans to conduct activities during the calving period. As previously indicated Weststar will strictly adhere to DIAND established Caribou Protection Measures. In recognition that project activities have the potential to impact both calving Peary caribou and muskox, Weststar plans to implement monitoring and mitigation protection measures with respect to both species. These measures include (but are not limited to):

- Weststar shall not without approval conduct any activity between April 15th – July 15th within the Caribou Protection Areas and within the Fosheim Peninsula Wildlife Area of Special Interest (WASI).
- When monitoring information indicates that caribou and/or muskox cows are approaching the area of operation Weststar will remove from the zone all personnel who are not required for the maintenance and protection of camp facilities and equipment.
- In the event that caribou and/or muskox cows calve outside of the Caribou Protection Areas or Fosheim Peninsula WASI, Weststar shall suspend operations within the area(s) occupied by cows and/or calves between April 15th – July 15th

In their January 13, 2010 response, QIA indicate that Caribou (and muskox) Protection Measures are amendable to additional terms and conditions based on project specific information which may be limited or non-existent. QIA strongly recommends that traditional knowledge be given due weight when determining Caribou (and muskox) Protection Measures. Weststar agrees with the QIA assessment stating that *"Consultation on appropriate wildlife protection measures would go along way to address the concerns of Inuit"*.

In its December 8, 2009 response to comments Weststar stated that "the long-term goal of the project is the discovery of an economic resource that would provide the local economy with sustainable employment and infrastructure" and that *"wherever and whenever possible, Weststar will hire locally"*. Specifically, Weststar indicated *"Nunavut registered companies will be favoured for logistical and technical support (including helicopter, fixe-wing aircraft, materials and equipment)"* and that *"during and following the construction of the camp, and during the exploration program, a number of jobs will be available (2-4 positions)"*.

QIA subsequently stated that Weststar has not addressed avenues for local involvement in a meaningful way, and recommended a community consultation to address socio-economic concerns.

Based on the concerns and recommendations of QIA, Weststar is now preparing to conduct community consultation with the Inuit and community of Grise Fiord during March 2010; approximately 1 month earlier than previously indicated. During the community consultation Weststar will clearly outline details of the Ellesmere Island Coal project proposal to

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the community of Grise Fiord. As and integral part of the community consultation, Weststar welcomes the opportunity to address any and all concerns with respect to the project, and in particular the potential impacts to wildlife and socio-economic benefits.

Government of Nunavut, Department of Environment

After reviewing Weststar's response to comments DOE stated in there January 15, 2010 letter to NIRB:

"We believe that, with very stringent wildlife mitigation measures, such as those proposed by the proponent [Weststar] in its response to further recommendations and further recommendations we provide below, it may be possible for the project to proceed" ... "DOE acknowledges the efforts made by the proponent to implement industry best practices to mitigate disturbances to wildlife" ... "in most cases the measures proposed in [Weststar's] Wildlife Management and Mitigation Plan, along with caribou protection measures and specific commitments made by the proponent in their letter of response would likely be able to adequately mitigate disturbances to wildlife."

In the event NIRB allows the project to proceed, DOE recommended the following additional mitigative measures be included in the terms and conditions:

- Prior to significant operational movements (e.g. before moving drill rigs), the proponent should undertake high altitude (>300m) aerial reconnaissance with the assistance of a professional biologist.
- At the end of each month, the proponent should submit a daily logbook of caribou reconnaissance to DOE, also detailing when and how these measures have been implemented.

DOE also provided information with regard to the department's research efforts on Peary caribou and muskox as well as additional information that underscores the ecological significance of the Fosheim Peninsula. Based on the information provided, Weststar feels the additional mitigative measures proposed by DOE are warranted.

Comments from Members of the Public

NIRB received approximately 75 comments from Members of the Public regarding Weststar's Ellesmere Island Coal Project Proposal. The letters were received largely from individuals representing various university and museum paleontological departments and related organizations. The comments emphasized the significance of certain fossil sites and their vulnerability to being damaged or destroyed by exploration activities.

Concerns that exploration activities may impact fossil sites known to occur on Axel Heiberg and Ellesmere Islands were initially made by the Department of Indian and Northern Affairs Canada, Environment Division and DOE. Subsequent research by Weststar identified three (3) recorded fossil forest sites in the region of the licenses: Geodetic Hills Fossil Forest,

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Axel Heiberg Island, located 90 kilometres west of Weststar's Fosheim Peninsula licenses; Stenkul Fiord Fossil Forest, Ellesmere Island, located 200 kilometres south of Weststar's Fosheim Peninsula licenses; and the Strathcona Fiord Fossil Forest, Ellesmere island, located 10 kilometres west of Weststar's Strathcona Fiord licenses.

Based on a review of the comments received from Members of the Public Weststar became aware that significant fossil sites occur within Weststar's Strathcona Fiord licenses. Of particular significance is the Beaver Pond site, which occurs within Weststar's NU-Coal-106 exploration license. In her January 13, 2010 letter to NIRB, Mary R. Dawson, Ph.D., Curator Emeritus of the Carnegie Museum of Natural History indicates that the Beaver Pond site contains a unique mixture of approximately 5 million year old year old fossil plants and land animals. Dawson also highlights the presence of older 55 to 50 million year old fossils sites which occur within a belt of rocks extending from Strathcona Fiord to the northeast across to Bay Fiord in the vicinity of Weststar's NU-Coal-106, NU-Coal-107 and NU-Coal-108 exploration licenses.

Weststar acknowledges that the unique fossil sites occurring on Ellesmere Island form an important part of Nunavut's history. These fossil sites tell us about the history of arctic plants and animals, and are recognized internationally for their scientific importance. Given the significance of these fossil sites and their vulnerability to disturbance by mineral exploration activities Weststar agreed to strictly adhere to the terms of the Nunavut Archeological and Paleontological Site Regulations. Under the terms of these regulations it is illegal to alter or disturb any paleontological or archeological site in Nunavut unless permission is first granted through the permitting process. Subsequently, in accordance with the November 20, 2009 direction of the Government of Nunavut, Department of Culture Language, Elders and Youth (GN-CLEY) and to address similar concerns raised by DOE, Weststar indicated it would conduct paleontological and archeological site assessments prior to any land development. All proposed camp, airstrip, surface sampling and drilling sites will be assessed by a paleontologist and archeologist approved by DOE and GN-CLEY prior to any land disturbance.

In her January 14, 2010 letter to NIRB, Joanne DiCosimo, President and CEO of the Canadian Museum of Nature stated:

"We are aware of the involvement of the Nunavut, Department of Culture Language, Elders and Youth in this issue and of the extensive, excellent list of conditions for exploiting mineral resources in these areas. We endorse those requirements and hope that they will be considered as part of a review of the mining proposal and that a constructive working relationship can be defined among all the concerned parties"

Lisa G. Buckley, Curator and Collections Manager of the Peace Region Paleontology Research Centre highlights the presence of existing research and industry partnerships in her January 20, 2010 letter to NIRB:

"Provisions for the Protection and conservation of the Ellesmere fossils can be easily incorporated into the industrial management framework before the work on the ground begins. Our institution has a positive relationship in working within industry in the protection and conservation of fossil resources, and often industrial activities have been responsible for the discovery and reporting of

significant fossil localities in the peace Region. The opportunity exists for the same collaborative relationship to develop between research and industry from the Weststar coal project."

Weststar envisions precisely this type of research and industry collaborative partnership with regards to mitigating disturbances to the unique fossil occurrences within its Ellesmere Island coal exploration licenses. A number of paleontologists are currently conducting active research and fossil excavations on Ellesmere Island. In particular, Natalia Rybczynski, Ph.D., Research Scientist at the Canadian Museum of Nature has completed 8 years of summer field work in Nunavut, including work at the Beaver Pond Site. In its efforts to adhere to the terms of the Nunavut Archeological and Paleontological Site Regulations and the direction of the GN-CLEY Weststar looks forward to contacting Doctor Rybczynski and the Canadian Museum of Nature.

Conclusions

Following submission of Weststar's initial response to comments received by NIRB regarding the Ellesmere Island coal exploration project proposal NIRB received additional comments from the Qikiqtani Inuit Association, Government of Nunavut Department of Environment and from Members of the Public.

Based on concerns over wildlife, community consultation and socio-economic benefits QIA recommended that Weststar conduct community consultation during March 2010 to outline details of the Ellesmere Island Coal project proposal to the community of Grise Fiord and to address concerns with respect to the project; in particular the potential impacts to wildlife and socio-economic benefits. Following the recommendation of QIA, and to address concerns of the Inuit of Grise Fiord, Weststar now plans to conduct community consultation during March 2010.

In its final comments to NIRB, DOE acknowledged Weststar's efforts to implement industry best practices to mitigate disturbances to wildlife. DOE suggested the implementation of additional mitigation measures including engaging the services of a professional biologist to monitor exploration activities and the submission of the results of Weststar's wildlife monitoring program on a monthly basis. Based on information provided by DOE, Weststar feels the additional mitigative measures are warranted.

Based on comments received from Members of the Public Weststar became aware that significant fossil sites occur within Weststar's Strathcona Fiord licenses; in particular at a location known as the Beaver Pond site. Given the significance of these fossil sites and their vulnerability to disturbance by mineral exploration activities Weststar must strictly adhere to the terms of the Nunavut Archeological and Paleontological Site Regulations. Under the terms of these regulations it is illegal to alter or disturb any paleontological or archeological site in Nunavut unless permission is first granted through the permitting process. In recognition that there is a high probability that unknown paleontological and archeological sites exist within Weststar's coal exploration licenses all proposed camp, airstrip, surface sampling and drilling sites will be assessed by a paleontologist and archeologist approved by DOE and GN-CLEY prior to any land disturbance.

Weststar wishes to thank NIRB and the commenting parties for their valuable input. Based on the concerns voiced and recommendations provided, a number of significant mitigation and monitoring best practices have been implemented.

Weststar believes that the Ellesmere Island coal exploration project is of a type where the potential adverse effects are highly predictable and can be mitigated with known technology. This opinion, with respect to Weststar's wildlife management and mitigation practices, is shared by Environment Canada. Similarly, the Government of Nunavut, Department of Environment has indicated that Weststar's wildlife management and mitigation practices "*would likely be able to adequately mitigate disturbances to wildlife*". The unique archeological and fossil sites present on Ellesmere Island are protected from disturbance under the terms of the Nunavut Act, and the Nunavut Archeological and Paleontological Site Regulations to which Weststar is legally bound. In addition, Weststar remains committed to addressing the wildlife and socio-economic concerns voiced by the Inuit of Grise Fiord via meaningful community consultation.

On behalf of Weststar Resources Corporation,

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Mitchell Adam
President and Director